

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO

THE PEOPLE OF THE STATE OF CALIFORNIA,)	COURT CASE NO FWV039167
)	
Plaintiff)	I N F O R M A T I O N
)	
vs.)	Arrestment Date: 06/21/2007
)	Department: R3
Richard Andrew Gatica)	
)	
)	
Defendant)	DA CASE NO 2006-00-0051893
)	

INFORMATION SUMMARY

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The District Attorney of the County of San Bernardino, by this Information alleges that:

COUNT 1

On or about March 23, 2006, in the above named judicial district, the crime of ASSAULT BY A LIFE PRISONER, in violation of PENAL CODE SECTION 4500, a felony, was committed by Richard Andrew Gatica, who did unlawfully and with malice aforethought, assault Daniel Edward Gallegos with a deadly weapon and by means of force likely to produce great bodily injury while undergoing a life sentence in the California State Prison, San Bernardino County, in violation of Penal Code section 4500.

COUNT 2

On or about March 23, 2006, in the above named judicial district, the crime of MURDER, in violation of PENAL CODE SECTION 187(a), a felony, was committed by Richard Andrew Gatica, who did unlawfully, and with malice aforethought murder Daniel Edward Gallegos , a human being.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

"NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime."

It is further alleged as to count(s) 2 that the murder of Daniel Edward Gallegos was committed by the defendant(s) Richard Andrew Gatica who, in addition to such murder, was convicted previously of First Degree, Wilfull, Deliberate, and Premeditated degree murder on and about September 21, 2004, in the Superior Court of the State of California in and for the County of Los

Angeles, in violation of Section 187 of the Penal Code, within the meaning, of Penal Code Section 190.2(a)(2).

It is further alleged pursuant to Penal Code sections 1170.12(a) through (d) and 667(b) through (i) as to count(s) 1, 2 that said defendant(s) Richard Andrew Gatica, has suffered the following prior conviction of a serious or violent felony or juvenile adjudication:

Court Case	Code/Statute	Conv Date	County	State	Court Type
BA245359	PC187	09/21/2004	Los Angeles	CA	Superior

It is further alleged pursuant to Penal Code sections 1170.12(a) through (d) and 667(b) through (i) as to count(s) 1, 2 that said defendant(s) Richard Andrew Gatica, has suffered the following prior conviction of a serious or violent felony or juvenile adjudication:

Court Case	Code/Statute	Conv Date	County	State	Court Type
BA011948	PC664.187	11/15/1990	Los Angeles	CA	Superior

It is further alleged pursuant to Penal Code sections 1170.12(a) through (d) and 667(b) through (i) as to count(s) 1, 2 that said defendant(s) Richard Andrew Gatica, has suffered the following prior conviction of a serious or violent felony or juvenile adjudication:

Court Case	Code/Statute	Conv Date	County	State	Court Type
GA000172	PC211	11/28/1989	Los Angeles	CA	Superior

It is further alleged pursuant to Penal Code sections 1170.12(a) through (d) and 667(b) through (i) as to count(s) 1, 2 that said defendant(s) Richard Andrew Gatica, has suffered the following prior conviction of a serious or violent felony or juvenile adjudication:

Court Case	Code/Statute	Conv Date	County	State	Court Type
A571921	PC 459-1	01/05/1987	Los Angeles	CA	Superior

It is further alleged pursuant to Penal Code sections 1170.12(a) through (d) and 667(b) through (i) as to count(s) 1, 2 that said defendant(s) Richard Andrew Gatica, has suffered the following prior conviction of a serious or violent felony or juvenile adjudication:

Court Case	Code/Statute	Conv Date	County	State	Court Type
SWF004833	PC215	12/10/2003	Riverside	CA	Superior

It is further alleged pursuant to Penal Code sections 1170.12(a) through (d) and 667(b) through (i) as to count(s) 1, 2 that said defendant(s) Richard Andrew Gatica, has suffered the following prior conviction of a serious or violent felony or juvenile adjudication:

Court Case	Code/Statute	Conv Date	County	State	Court Type
SWF004833	PC215	12/10/2003	Riverside	CA	Superior

It is further alleged pursuant to Penal Code sections 1170.12(a) through (d) and 667(b) through (i) as to count(s) 1, 2 that said defendant(s) Richard Andrew Gatica, has suffered the following prior conviction of a serious or violent felony or juvenile adjudication:

Court Case	Code/Statute	Conv Date	County	State	Court Type
SWF004833	PC422	12/10/2003	Riverside	CA	Municipal

It is further alleged pursuant to Penal Code sections 1170.12(a) through (d) and 667(b) through (i) as to count(s) 1, 2 that said defendant(s) Richard Andrew Gatica, has suffered the following prior conviction of a serious or violent felony or juvenile adjudication:

Court Case	Code/Statute	Conv Date	County	State	Court Type
SWF004833	PC245(d)(1)	12/10/2003	Riverside	CA	Superior

It is further alleged pursuant to Penal Code sections 1170.12(a) through (d) and 667(b) through (i) as to count(s) 1, 2 that said defendant(s) Richard Andrew Gatica, has suffered the following prior conviction of a serious or violent felony or juvenile adjudication:

Court Case	Code/Statute	Conv Date	County	State	Court Type
RIF112156	PC211	12/10/2003	Riverside	CA	Superior

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NOTICE TO DEFENDANT AND DEFENDANT'S ATTORNEY

Pursuant to Penal Code Sections 1054.5.(b), the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code Section 1054.3.

NOTICE TO ATTORNEY

The materials accompanying this notice may include information about witnesses. If so, these materials are disclosed to you pursuant to Penal Code section 1054.2 which provides: "No attorney may disclose or permit to be disclosed to a defendant the address or telephone number of a victim or witness whose name is disclosed to the attorney pursuant to subdivision (a) of Section 1054.1 unless specifically permitted to do so by the court after a hearing and a showing of good cause."

THIS INFORMATION CONSISTS OF 2 COUNT(S).

MICHAEL A. RAMOS
DISTRICT ATTORNEY
County of San Bernardino
State of California

By: _____
Kent Williams
Deputy District Attorney

Filed in Superior Court,
County of San Bernardino

Dated: _____